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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/897,383
Filing Date: July 02, 2001
Appellant(s): DESHPANDE ET AL.

Scott C. Krieger
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/28/2005 appealing from the Office action mailed

4/27/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings

which will directly affect or be directly affected by or have a bearing on the Board's decision in

the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in

the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

6,356,283   GUEDALIA   3-2002

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2. Claims 25-29, 33-38, 41 are rejected under 35 U.S.C. 102(e) as being anticipated by
Guedalia, US Patent Number 6,356,283, hereinafter Guedalia.

3. Referring to claim 25, Guedalia has taught a method for customized image display (figure
4), said method comprising the acts of:

     a. reading an initial part of an image file at a client (Col 20 lines 28-30, step 70 in figure 4), said file being hosted on a server (Col 20 lines 26-27, image is sent to the client from server);

     b. parsing said initial part to identify any additional parts that may needed to render a selection of said image file (Col 19, lines 5-15 and Figure 2, a HTML page is analyzed/parsed by the browser to display embedded image portion constituting sub-regions that form the overall image, Col 20 lines 10-14, user sends a request by clicking on the initial layout of the image and when the request is parsed, the initial layout of the image is parsed; "accessing the necessary tiles" corresponds to the "identifying any additional parts", in order for the system to access the "necessary" parts, the "necessary" parts must be identified. Col 20 lines 31-33 user is making the selection from clicking on the image);

     c. requesting said additional parts from said server when said additional parts are needed (Col 19, lines 13-15, when the user clicks within a particular sub-region, the image portion to be used for the response is the region associated with that selected sub-region; Col 20 lines 10-14, accessing the "necessary" parts);

     d. displaying said selection of said image file at said client (Col 19 lines 33-34; Col 20 lines 14-16).

4. Referring to claim 26, Guedalia has further taught wherein said displaying is performed via a client image interface (Col 20 lines 27-31, browser corresponds to the image interface) and further comprises allowing selection of an image customization selection via said client image interface (Col 20 lines 10-16, Figure 4 steps 72-94).

5. Referring to claim 27, Guedalia has further taught, parsing supplementary image parts of

said image file to determine which parts are required to display said image customization

selection and requesting said required image parts (Col 20 lines 10-14, accessing the

necessary parts.)

6. Referring to claim 28, Guedalia has further taught wherein the size of said initial part is

relative to the bandwidth of the connection between said server and client (Col 16 lines

34-44).

7. Referring to claim 29, Guedalia has further taught wherein said initial part comprising

data selected from the group consisting of quality data (Col 16 lines 34-44, resolution),

scalability data (Col 16 lines 45-51, zooming), resolution data (Col 16 lines 34-44,

resolution) and region-of-interest (ROI) data (Figure 2).

8. Referring to claim 33, Guedalia has taught a method for interactive customized image

transmission. said method comprising the acts of:

    a. reading an initial part of an image file at a client (Col 20 lines 28-30, step 70 in

       figure 4), said file being hosted on a server (Col 20 lines 26-27, image is sent to

       the client from server);

    b. parsing said initial part to identify any additional parts that may needed to render

       a representation of said image file (Col 20 lines 10-14, "parsing the request"

       corresponds to "parsing the initial part", user sends a request by clicking on the

       initial layout of the image and when the request is parsed, the initial layout of the

       image is parsed; "accessing the necessary tiles" corresponds to the "identifying

       any additional parts", in order for the system to access the "necessary" parts, the

"necessary" parts must be identified. Col 20 lines 31-33 user is making the selection from clicking on the image);

   c. requesting said additional parts from said server when said additional parts are needed (Col 20 lines 10-14, accessing the "necessary" parts);

   d. displaying said representation of said image file at said client through a client image interface (Col 20 lines 14-16, 27-31, "browsers" corresponds to the "image interface");

   e. receiving an image customization selection of said image via said client image interface (Col 20 lines 27-31, step 72 in figure 4);

   f. parsing supplementary image parts when said initial part and said additional parts do not contain sufficient information to identify any subsequent parts that may be needed to render said customization of said image file (Co l 20 lines 10-14);

   g. receiving sai customization of said image at said client (steps 84-86 in figure 4).

9. Referring to claim 34, Guedalia has taught a method for customized image transmission, said method comprising the acts of:

   a. reading an image index file from a client said index file being hosted on a server along with an associated image file, and said index file comprising a map of components of said image file (Col 4 lines 4-6, Col 24 lines 24-33, the "image map" corresponds to the "image index file");

   b. determining, at said client using said index file data, the parts of said image file that are required to display a selected part of said image file (Col 24, lines 25-33);

c. requesting transmission of said selected parts from said sever to said client (Col 24 lines 31-33).

10. Referring to claim 35, Guedalia has further taught, displaying said selected part of said image file at said client (Col 20 lines 14-16).

11. Referring to claim 36, Guedalia has further taught wherein said displaying is performed via a client image interface (Col 20 lines 27-31, browser corresponds to the image interface) and further comprises allowing selection of an image customization selection via said client image interface (Col 20 lines 10-16, Figure 4 steps 72-94).

12. Referring to claim 37, Guedalia has further taught, accessing said index file to determine image parts of said image file that are required to display said image customization selection and requesting said required image parts (Col 20 lines 10-16).

13. Referring to claim 38, Guedalia has further taught, displaying said image customization selection a said client (step 70 in figure 4).

14. Referring to claim 41, claim 41 encompasses the same scope of the invention as that of the claim 25. Therefore, claim 41 is rejected for the same reason as the claim 25.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

16. Claims 30-32, 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guedalia in view of Applicant Admitted Prior Art.

17. Referring to claims 30 and 39, Guedalia has taught methods described in claims 25 and

34, and Guedalia has further taught wherein said image file is a JPEG image file (Col 4

lines 23-26.)

Although Guedalia does not explicitly disclosed the JPEG image file is a

JPEG2000 image file. However, AAPA has disclosed the use of JPEG2000 image file is

a known image compression standard which is used to support large images before the

time the invention was made (page 2, Background section, lines 8-9.)

It would have been obvious to a person with ordinary skill in the art at the time

the invention was made to incorporate the JPEG2000 image file standard of AAPA in

Guedalia such that Guedalia would have benefited from using the JPEG2000 standard

instead of its JPEG standard, because Guedalia has taught the use of JPEG image file for

his customizing method.

A person with ordinary skill in the art would have been motivated to make the

modification to Guedalia because standards were established for developers and program

designers to use and follow, it would be obvious for Guedalia to use the JPEG2000

standard because Guedalia has taught the use of JPEG standard, and JPEG2000 standard

provides a more specific features as described in AAPA page 2-4.

18. Referring to claim 31, 32, and 40, claims 31, 32, and 40 discloses the special features of

JPEG2000 standard, which is admitted by the applicant as the prior art which is already

know to any person with ordinary skill in the art (see page 2-4), therefore claims 31, 32,

and 40 are rejected over Guedalia in view of AAPA.

(10) Response to Argument

Appellant argues in substance that:

a. Guedalia does not teach this image file parsing element (parsing said initial part).

    The parsing taught in Guedalia (Col 20 lines 10-14) refers to parsing an Internet

    Imaging Protocol (IIP) request and not the actual image file (page 4 lines 11-13,

    grouping claims 25, 33 and 41.)

b. Claim 34 comprises the element of "reading an image index file" associated with

    an image file, wherein the index file comprises a map of component of the image

    file. This index file is not taught in Guedalia or other prior art (page 4 bottom –

    page 5 line 1 grouping claims 34).

c. The Combination of Guedalia and Applicant Admitted Prior Art does not disclose

    any more in relation to the element of parsing an image file than Guedalia alone.

    This rejection is improper for the reasons stated above in relation to claim 25.

In reply to argument (a), Guedalia does teach parsing the initial part of the image.

Referring to Col 19, lines 5-15 and Figure 2 of Guedalia, a HTML page is analyzed by

the browser to display embedded image portion constituting sub-regions that form the

overall image. The HTML page with sub-regions of images corresponds to the image file

as claimed. The browser analyzes the HTML page in order to display embedded image

portion corresponds to "parsing said initial part" as claimed. Therefore, Guedalia does

teach the claimed image file parsing element as argued by the appellant.

In reply to argument (b), Guedalia does teach the limitation of "reading an image

index file". In Col 4 lines 4-6, Col 24 lines 24-33 Guedalia disclosed the "image map"

which corresponds to the "image index file" of the present invention. The request is

received from user's clicking action on such image map, therefore the requesting to the

server followed by the clicking action corresponds to the limitation of "reading an image

index file".

In reply to argument (c), Guedalia does teach all the claim limitation as stated claim

25. Therefore the rejection is proper for the reasons stated above in relation to claim 25.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Liang-che Alex Wang
January 5, 2006

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